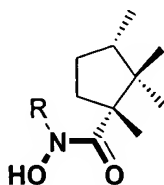


Remarks

Claims 1-6, 8, 9, 11-38 and 41-50 are pending in this application.

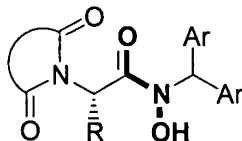
With regard to the rejection of Claims 1-6, 8, 9, 11-38 and 41-50 in the Office Action mailed on February 25, 2005, Applicant respectfully submits that the Examiner has not made a *prima facie* case of obviousness, as was asserted during the interview on April 28, 2005.

The chiral catalyst employed in Michaelson et al. *J. Am. Chem. Soc.* **1977**, 99, 1990-1991 is based on the following generic structure:



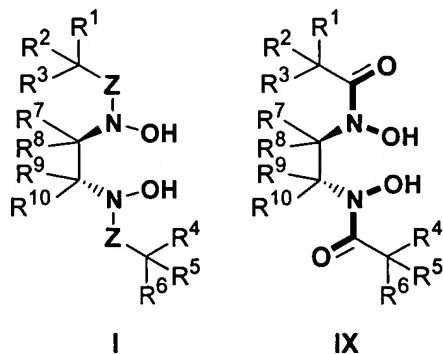
1a

The chiral catalyst used in Hoshino et al. *J. Am. Chem. Soc.* **2000**, 122, 10452-10453 is based on the following generic structure:



1

In both Michaelson et al. and Hoshino et al. the chiral catalysts include one hydroxamic acid (as shown in bold). However, when Z of structure I is -C(O)-, the Claims of the present application require two hydroxamic acids (shown in bold) in the form of bishydroxamic acid **IX** as shown below:



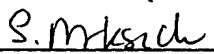
Since there is no suggestion in either Michaelson et al. or Hoshino et al. to alter the chiral catalyst to provide the currently claimed structures, Applicant respectfully contends that a *prima facie* case of obviousness has not been provided.

Applicant respectfully requests that Examiner withdraw the 35 U.S.C. § 103(a) rejections of Claims 1-6, 8, 9, 11-38 and 41-50.

SUMMARY

The Pending Claims are believed to be in condition for allowance. Applicant respectfully requests the Examiner grant early allowance of this application. The Examiner is invited to contact the undersigned attorneys for the Applicant via telephone if such communication would expedite this application.

Respectfully submitted,



K. Shannon Mrksich, Ph.D.
Registration No. 36,675
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200